

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By Chairman Scott Mendenhall, on April 20, 2007  
at 11:00 A.M., in Room 172 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Jim Keane, Vice Chairman (D)  
Rep. Mike Milburn, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Shannon Augare (D)  
Rep. Scott Boggio (R)  
Rep. Ernie Dutton (R)  
Rep. Kevin T. Furey (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Harry Klock (R)  
Rep. Michele Reinhart (D)  
Rep. Wayne Stahl (R)  
Rep. Bill Thomas (D)  
Rep. Kendall Van Dyk (D)  
Rep. Jonathan Windy Boy (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Bart Campbell, Legislative Branch  
Nancy Kraft, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HJR 62, 4/18/2007; SB 189,  
4/18/2007  
Executive Action: SB 524; SB 434; HJR 62; SB 189

**HEARING ON HJR 62**

**Opening Statement by Sponsor:**

00:03:23 Rep. Scott Mendenhall (R), HD 77, opened the hearing on HJR 62, Study privatization and public trading of work comp.

**Proponents' Testimony:**

00:09:49 Larry Kibbee, Property Casualty Insurance Association of America

00:15:13 Aidan Myhre, Employers' Insurance Group

**EXHIBIT** (buh84a01)

00:18:24 Larry Jones, Liberty Northwest

00:20:43 Jon Bennion, Montana Chamber of Commerce

00:22:07 Riley Johnson, National Federation of Independent Business

00:23:54 Nancy Butler for Jacqueline Lenmark, American Insurance Association

**Opponents' Testimony:** None

**Informational Testimony:**

00:24:38 Matthew Cohn, Montana State Fund

**Questions from Committee Members and Responses:**

00:27:09 Rep. Arntzen

00:27:36 Mr. Cohn

00:28:50 Rep. Arntzen

00:29:09 Mr. Kibbee

00:31:01 Rep. Dutton

00:32:28 Mr. Bennion

00:34:25 Rep. Dutton

00:34:45 Mr. Cohn

00:35:57 Rep. Dutton

00:36:26 Rep. Mendenhall

00:38:02 Rep. Furey

00:38:21 Mr. Bennion

00:39:04 Mr. Kibbee

00:39:15 Mr. Cohn

**Closing by Sponsor:**

00:39:32 Rep. Mendenhall

**HEARING ON SB 189**

**Opening Statement by Sponsor:**

00:40:34 Sen. Sam Kitzenberg (D), SD 18, opened the hearing on SB 189, Clarify PSC authority to initiate rate cases.

**Proponents' Testimony:**

00:51:06 Archie Nunn

**EXHIBIT (buh84a02)**

00:52:12 Doug Mood, Vice-Chairman, Public Service Commission, District 4

**EXHIBIT (buh84a03)**

00:58:43 Greg Jergeson, Chairman, Public Service Commission

01:01:19 Bob Nelson, Montana Consumer Council

01:05:52 Bonnie Lorang, Montana Independent Telecommunications Systems

01:06:26 Brad Molnar, Public Service Commission, District 2

**Opponents' Testimony:**

01:07:08 John Alke, Montana-Dakota Utilities Company

**EXHIBIT (buh84a04)**

**EXHIBIT (buh84a05)**

01:18:09 Sen. Kelly Gebhardt, SD 23, Roundup, Montana

01:20:47 Calvin Simshaw, CenturyTel

**EXHIBIT (buh84a06)**

01:24:53 Dennis Lopach, QWest

**EXHIBIT (buh84a07)**

**EXHIBIT (buh84a08)**

01:26:31 Geoff Feiss, Montana Telecommunications Association

**EXHIBIT (buh84a09)**

01:30:16 Chuck Evilsizer, Ronan Telephone Company

01:30:41 Jon Bennion, Montana Chamber of Commerce

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:30:59 Rep. Keane

01:31:18 Mr. Lopach

01:31:48 Rep. Keane

01:32:18 Mr. Mood

01:34:09 Rep. Keane

01:34:18 Mr. Alke

01:37:22 Rep. Arntzen

01:37:41 Rep. Dutton

01:38:12 Mr. Mood

01:40:32 Robin McHugh, Staff Attorney, Public Service Commission

**Closing by Sponsor:**

01:40:58 Sen. Kitzenberg

**EXECUTIVE ACTION ON SB 524**

01:48:36 **Motion:** Rep. Klock moved that SB 524 **BE CONCURRED IN.**

01:49:35 **Motion:** Rep. Klock moved that SB 524 **BE AMENDED.**

**EXHIBIT** (buh84a10)

**Discussion:**

01:50:10 Rep. Milburn

01:50:23 **Vote:** Motion carried 12-4 by roll call vote with Reps. Augare, Dutton, Mendenhall, and Windy Boy voting no.

01:51:14 **Motion/Vote:** Rep. Klock moved that SB 524 **BE CONCURRED IN AS AMENDED.** Motion carried 14-2 by roll call vote with Reps. Dutton and Mendenhall voting no. Rep. Klock will carry the bill.

**EXECUTIVE ACTION ON SB 434**

01:52:51 **Motion/Vote:** Rep. Keane moved that SB 434 **BE CONCURRED IN.** Motion failed 7-9 by roll call vote with Reps. Augare, Furey, Keane, Milburn, Reinhart, Thomas, and Windy Boy voting aye.

01:54:05 **Substitute Motion/Vote:** Rep. Keane made a substitute motion that SB 434 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HJR 62**

01:54:24 **Motion:** Rep. Thomas moved that HJR 62 **BE ADOPTED.**

**Discussion:**

01:54:35 Rep. Keane

01:55:09 Rep. Arntzen

01:55:58 Rep. Mendenhall

01:56:47 **Vote:** Motion carried 13-3 by roll call vote with Reps. Augare, Keane, and Reinhart voting no. Rep. Mendenhall will carry the bill.

**EXECUTIVE ACTION ON SB 189**

01:57:37 **Motion:** Rep. Milburn moved that SB 189 **BE TABLED.**

**Discussion:**

01:58:10 Rep. Augare

01:59:05 Rep. Mendenhall

01:59:16 Rep. Milburn

01:59:30 Rep. Mendenhall

01:59:38 **Vote:** Motion carried 10-6 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Van Dyk, and Windy Boy voting no

02:00:43 Rep. Keane

02:00:54 **Motion/Vote:** Rep. Augare moved the Committee **RECESS** and return later for further discussion. Motion failed 8-8 by roll call vote with Reps. Augare, Furey, Mendenhall, Milburn, Reinhart, Stahl, Van Dyk and Windy Boy voting aye.

**ADJOURNMENT**

02:02:24 Adjournment: 1:05 P.M.

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REP. SCOTT MENDENHALL, Chairman

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NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

**EXHIBIT ([buh84aad.pdf](#))**